

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
COMMITTEE OF THE WHOLE MEETING**

A M E N D E D A G E N D A

APRIL 25, 2007

7:30 PM COURTHOUSE COUNCIL CHAMBERS

ROLL CALL_____

PLEDGE OF ALLEGIANCE_____

PUBLIC COMMENT ON ANY PUBLIC MATTER_____

REPORT OF THE CHAIR_____

SECTION I

PUBLIC HEARING

TO HEAR COMMENTS ON THE PRELIMINARY PLAT OF THE SUNSET NORTH
MAJOR SUBDIVISION BY BILL & SIDNI MARKOVICH. Proof of publication.

SECTION I-A

COMMUNICATION NO. 07-118

John P. Walsh, Sheriff, requesting approval of DUI Task Force Plan and requesting
resolution be drawn up by County Attorney..

SECTION II

COMMUNICATION NO. 07-129

Lori Casey, Senior Planner, requesting conditional approval of Preliminary Plat of the
Highland Ridge Minor Subdivision.

SECTION III

COMMUNICATION NO. 07-159

Frank Walsh, Chairman An Ri' Ra Montana Irish Festival, requesting street closure from
6PM 8/9/07 through 6PM 8/12/07, reroute traffic for 5K and 10K races and use of Emma
Park 8/12/07.

SECTION IV

COMMUNICATION NO. 07-187

Jeffrey L. Miller, Director of Fire Services, requesting public hearing be scheduled
4/18/07 to receive comment concerning amendment to budget for unanticipated revenue.

SECTION V

COMMUNICATION NO. 07-190

Robert A. Macioroski, Director Land Office, requesting County Attorney prepare a
resolution and deed for transfer of Parcel No. 303850 to Butte-Silver Bow.

SECTION VI**COMMUNICATION NO. 07-195**

Mary J. McLaughlin, President, requesting time on 4/11/07 agenda to make a presentation regarding a replacement structure engine for Little Basin Creek Volunteer Fire Company.

SECTION VII**COMMUNICATION NO. 07-197**

Jeffrey L. Miller, Director of Fire Services, requesting bid from Semo Tank/Baker be rejected and another bid opening be scheduled for 4/18/07.

SECTION VIII**COMMUNICATION NO. 07-200**

Glen Ballenger, Christy Stack and Cathy Decker, regarding their request to purchase the remainder of the Amy Mining Claim, located in Walkerville.

SECTION IX**COMMUNICATION NO. 07-208**

Karen Byrnes, Director Community Development Department, requesting time on the 4/18/07 agenda to conduct a public hearing to create budget authority for grant funds awarded by Montana Historic Preservation Office.

SECTION X**COMMUNICATION NO. 07-221**

Robert J. Whelan, Attorney at Law, requesting Developers Packet for lots 10 through 14 south of Eastside Athletic Club.

SECTION XI**COMMUNICATION NO. 07-225**

Brad Borst, Montana Wilderness Association, requesting time on 5/2/07 agenda to make an informational presentation.

SECTION XII**COMMUNICATION NO. 07-228**

Bill Melvin, Civic Center Manager, requesting public hearing for 5/2/07 to receive comment concerning amendment to the budget for unanticipated revenue.

SECTION XIII**COMMUNICATION NO. 07-239**

George Everett, Mainstreet Uptown Butte, requesting permission to close 1 block of Main Street to hold Farmer's Market each Saturday from June 2, through September 29, 2007.

SECTION XIV

COMMUNICATION NO. 07-249

Karen Byrnes, Director Community Development Department, requesting public hearing be set 5/2/07 to receive comments regarding prioritization of projects for allocation of Community Transportation Enhancement Program funds.

SECTION XV

COMMUNICATION NO. 07-259

Jean Pentecost, Water Utility Division, requesting authorization for Chief Executive to enter into agreement with Richardson Trust for a Land Exchange.

ADJOURN_____

**FINANCE AND BUDGET COMMITTEE MEETING
6PM COURTHOUSE COUNCIL CHAMBERS**

SECTION I

COMMUNICATION NO. 07-142

Jeff Amerman, Finance and Budget Director, regarding request for \$174,712.00 loan payment to Butte Development Corporation.

SECTION II

COMMUNICATION NO. 07-223

Karen Byrnes, Director Urban Revitalization Agency, requesting approval of line item budget transfers.

SECTION III

COMMUNICATION NO. 07-224

John C. VanDaveer, Public Works Department, requesting approval of line item budget transfers.

SECTION IV

COMMUNICATION NO. 07-226

Cindy Lammi, Justice Court, requesting approval of line item budget transfers.

SECTION V

COMMUNICATION NO. 07-229

Robert A. Macioroski, Director, requesting approval of line item budget transfers.

SECTION VI

COMMUNICATION NO. 07-233

John C. VanDaveer, Director Public Works Department, requesting approval of line item budget transfers.

SECTION VII

COMMUNICATION NO. 07-235

Jon Sesso, Planning Director, requesting approval of line item budget transfers.

SECTION VIII

COMMUNICATION NO. 07-236

Jon Sesso, Planning Director, requesting approval of line item budget transfers.

SECTION IX

COMMUNICATION NO. 07-237

Jon Sesso, Planning Director, requesting approval of line item budget transfers.

SECTION X**COMMUNICATION NO. 07-244**

John C. VanDaveer, Public Works Director, requesting approval of line item budget transfers.

SECTION XI**COMMUNICATION NO. 07-245**

Jean Pentecost, Department of Public Works, requesting authorization for Chief Executive to enter into a “not to exceed” contract with MSE-Tetragenics.

SECTION XII**COMMUNICATION NO. 07-260**

Bill Melvin, Civic Center Manager, requesting approval of line item budget transfers.

SECTION XIII**COMMUNICATION NO. 07-261**

Bill Melvin, Civic Center Manager, requesting approval of line item budget transfers.

**JUDICIARY COMMITTEE MEETING
7PM COURTHOUSE COUNCIL CHAMBERS**

SECTION I

COMMUNICATION NO. 06-673

Mark and Shirley Rule, regarding proposal to enter into 5-year lease and one 5-year renewable term of Rose and Shamrock Mining Claim #2829, Lot 599 on Moulton Reservoir Road.

SECTION II

COMMUNICATION NO. 07-209

David B. Coleman, Commissioner District 8, requesting council support for a resolution.

SECTION III

COMMUNICATION NO. 07-740

J. R. Richardson, Business Manager, Butte Public Schools, requesting council forgive property taxes on Parcel No. 1901770.

SECTION IV

COMMUNICATION NO. 07-258

Robert and Jackie Rolison, requesting the illegal cement barriers put across a public mining road known as Whiteside Placer Road be removed within 10 days.

SECTION V

COUNCIL BILL NO. 06-2
ORDINANCE NO. 06-2

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 204 AND SECTION 10.40.050 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “SPEED LIMIT;” ESTABLISHING A 35 MPH SPEED LIMIT ON HANSEN ROAD BEGINNING AT ITS INTERSECTION WITH BEEF TRAIL ROAD AND MONTANA STREET ON THE NORTH AND CONTINUING SOUTH TO A POINT 0.702 MILES ON THE SOUTH; ESTABLISHING A 25 MPH SPEED LIMIT ON HANSEN ROAD FROM A POINT 0.971 MILES SOUTH OF ITS INTERSECTION WITH BEEF TRAIL ROAD AND MONTANA STREET ON THE NORTH TO HOLMES AVENUE ON THE SOUTH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VI

COUNCIL BILL NO. 07-5
ORDINANCE NO. 07-5

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCES NO. 7 AND 53 AND CHAPTERS 2.48 AND 17.54 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "BOARD OF ADJUSTMENT"; AMENDING SECTIONS 2.48.090 AND 17.54.090, b-SB MC; DELETING

REFERENCE TO APPEAL TO THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 76-2-327, MCA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VII COUNCIL RESOLUTION NO. 07-10

A RESOLUTION APPROVING THE BUTTE-SILVER BOW DUI TASK FORCE PROGRAM FOR FISCAL YEAR BEGINNING 2007 AND APPROVING THE TRANSFER OF CERTAIN ASSETS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

SECTION VIII COUNCIL RESOLUTION NO. 07-13

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE HIGHLAND RIDGE MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

SECTION IX COUNCIL RESOLUTION NO. 07-25

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION WITH THE DEPARTMENT OF COMMERCE OF THE STATE OF MONTANA, FOR A MONTANA COMMUNITY DEVELOPMENT BLOCK GRANT UNDER THE TERMS OF THE COMMUNITY DEVELOPMENT ACT OF 1974 (42 USC 5301) AS AMENDED

SECTION X COUNCIL RESOLUTION NO. 07-26

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE AMENDED PLAT OF LOT 5 IN BLOCK 10 OF THE HILLCREST ADDITION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION XI COUNCIL RESOLUTION NO. 07-28

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING A PORTION OF HENRY STREET LYING SOUTH OF THE SOUTH LINE OF WEST COPPER STREET AND NORTH OF THE NORTHERN BOUNDARY LINE OF THE LAURA FRACTION LODE, MINERAL SURVEY NO. 2499 BETWEEN BLOCKS 3 AND 4 OF THE VOLUNTEER NO. 2 ADDITION WITHIN THE CITY AND COUNTY OF

BUTTE-SILVER BOW, STATE OF MONTANA; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN.

SECTION XII

COUNCIL RESOLUTION NO. 07-29

A RESOLUTION CREATING SPECIAL IMPROVEMENT DISTRICT NO. 1027 FOR THE PURPOSE OF MAINTAINING AND INSTALLING AN ELECTRICAL LIGHTING SYSTEM; DESIGNATING AND DESCRIBING THE BOUNDARIES OF SAID PROPOSED SPECIAL IMPROVEMENT LIGHTING DISTRICT; STATING THE PURPOSE OF AND THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE IN SAID SPECIAL IMPROVEMENT DISTRICT; ESTIMATING THE APPROXIMATE COST OF MAINTAINING AND SUPPLYING ENERGY THEREOF FOR THE FIRST YEAR; FINDING, DETERMINING, AND DECLARING THAT SUCH PROPERTY SHOULD BE ASSESSED FOR COST THEREOF OF MAINTENANCE AND ENERGY AND EXTENDING SUCH ASSESSMENT TO BE IN SEMI-ANNUAL INSTALLMENTS AND PROVIDING FOR THE FUND UPON WHICH SAID SPECIAL IMPROVEMENT FUNDS SHALL BE DRAWN; WITHDRAWING ALL PROPERTY DESCRIBED IN EXHIBIT "A" FROM OTHER SPECIAL IMPROVEMENT LIGHTING ASSESSMENTS AND FINDING THE NECESSARY FACTS HEREIN.

SECTION XIII

COUNCIL RESOLUTION NO. 07-30

A RESOLUTION URGING THE CESSATION OF WAR AND COMBAT OPERATIONS IN IRAQ; FOR THE RETURN OF AMERICAN TROOPS; FOR FULL FUNDING OF VETERANS' PROGRAMS TO MEET THE NEEDS OF AMERICAS' VETERANS, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

PUBLIC WORKS COMMITTEE

6:30 PM COURTHOUSE COUNCIL CHAMBERS

COMMUNICATION NO. 05-66

Charlie O'Leary, Commissioner District 5, requesting speed limits and urban highway designations on a portion of Western Boulevard and also Meadowlark.

COMMUNICATION NO. 06-661

Jon Sesso, Planning Director, requesting council prioritize Road Improvement Project – intersection of Beef Trail Road and Little Basin Creek Road

COMMUNICATION NO. 06-701

Marko Lucich, Executive Director Chamber of Commerce, requesting time on the Public Works Agenda to make a presentation on the progress on the Green Belt Conceptual Plan (Berkeley Pit Viewing Stand).

PETITION NO. 07-1

John Harrington, Building Official, requesting on behalf of Steve and Sharon Wilson to close a vacate a portion of Henry Street.

COMMUNICATION NO. 07-165

Cindi Shaw, Commissioner District 11, regarding request for review off traffic concerns on E. Woolman Street.

COMMUNICATION NO. 07-247

John W. Althof, Rail/Highway Safety Manager, regarding results of 2006 inventories at -grade Railroad crossings along Butte-Silver Bow rail lines.

**PERSONNEL COMMITTEE MEETING
5:45 PM COURTHOUSE COUNCIL CHAMBERS**

SECTION I

COMMUNICATION NO. 06-730

Jeff Amerman, Finance and Budget Director, requesting time on 12/20/07 agenda to make an informational report on payroll issues.

SECTION II

COMMUNICATION NO. 07-242

Mary M. McMahon, Clerk and Recorder, requesting possible sick leave transfers for Sandy Parini – Land Records Division.